

AM FILED
JAMES R. BROWN
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

04 MAR - 1 PM 1:46

REGINALD ALLEN,

*

Case No. C-1-01-810

Petitioner,

*

Judge Dlott
Magistrate Sherman

vs.

*

ALAN LAZAROFF, WARDEN

*

Respondent.

*

**MOTION FOR EXTENSION OF TIME
TO FILE REPLY TO RETURN OF WRIT**

(proposed order attached)

COMES NOW, Counsel for the Petitioner herein, Reginald Allen, and request 30 days to file a Reply to the State's Response to the 2254 Petition previously filed. In support thereof, Counsel states the following:

1. That Counsel just received today, February 26, 2004, a copy of the Answer filed by the State of Ohio.
2. That Counsel has spoken with Joseph Bodine, the Assistant Attorney General, who indicates that he was not aware of Counsel's representation of Petitioner in this matter, and thus did not provide a copy to Counsel in this matter.
3. That Counsel did not realize that the Return had been filed until he made a PACER search to determine the status of the case, and Counsel immediately called Mr. Bodine to obtain a copy of the document.
4. That Mr. Bodine has indicated that he has no objection to this request for an extension of time to file a Reply.

WHEREFORE, Counsel respectfully requests that this Court grant him 30 days from today's date in which to file a Reply to the State's Response in this matter.

Respectfully submitted,



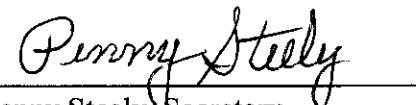
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Indian Springs OH 45011
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document appended hereto has been sent this 27th day of February, 2004, by regular U.S. Mail, with sufficient postage affixed thereto to ensure delivery, addressed to:

Joseph Bodine
Assistant Attorney General
140 East Gay Street, 16th Floor
Columbus, Ohio 43215-3400

Reginald Allen
352308
MaCI
P. O. BOX 740
London OH 43140-740



Penny Steely
Penny Steely, Secretary
SCHAD & COOK